

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS

In re RODNEY L. DOCKERY et al.)
Application No. 08/813,852) Appeal No. 2003-2005
Filed: March 7, 1997)
)

ORDER GRANTING REQUEST TO RESET HEARING DATE

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences has been set for March 17, 2004. The notice setting the hearing was mailed to counsel on December 19, 2003 (Paper No. 47). The date counsel received the notice is not apparent from the record. On January 6, 2004, a facsimile letter was received (Paper No. 48) wherein counsel requested that the oral hearing be rescheduled. The request has been granted.

According to counsel:

[Counsel] previously made arrangements to be on vacation from March 12, 2004 through March 21, 2004 and has purchased non-refundable tickets in anticipation of this vacation. Accordingly, [counsel] will not be available to attend the hearing set for March 17, 2004. Because [counsel] will be out of the office during the aforementioned period for vacation, proper preparation for the hearing is expected to be very difficult, thereby rendering it impractical to attend the hearing

by phone. [Counsel] is the attorney most familiar with the issues on appeal and believes himself to be the attorney best able to present the issues to the Board succinctly. Accordingly, it is not believed that another attorney from [counsel's] office can present the appeal.

Appellant respectfully requests that the oral hearing be rescheduled.

For the reasons given above, it is

Ordered that the request to reschedule the hearing to a date after March 17, 2003, is granted, and that a new date for the oral hearing will be sent to counsel.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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